ADDRESS BY THE HONOURABLE IRWIN COTLER, MINISTER OF JUSTICE AND ATTORNEY GENERAL OF CANADA, TO THE RAOUL WALLENBERG SYMPOSIUM

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Check Against Delivery

I am delighted to be here today to participate in this historic moment of remembrance and reminder, of witness and reaffirmation, on the 60th anniversary of the disappearance of Raoul Wallenberg. This hero of humanity, whom the United Nations has called the greatest humanitarian of the 20th century. This Swedish non-Jew, this Saint Just of the nations who saved more Jews in the Second World War than almost any single government; who is the embodiment of the Talmudic idiom that whoever saves a single life, it is as if they have saved an entire universe. The lost Hero of the Holocaust who confronted the Nazi killing machine and showed not only that one person can make a difference but that one person can resist, that one person can confront, that one person can indeed prevail over radical evil. Whose heroism included:

- The granting of the *Shutzpasses*—the diplomatic passes which provided protective immunity to their recipients and, in fact, influenced other governments—delegations of the Swiss, the Portuguese, the Spanish, and the Vatican legations—to follow his example. And as a result of this singular invocation by Raoul Wallenberg of the protective use of diplomatic immunity, thousands were saved by this route alone.

- Raoul Wallenberg's establishment of protective havens—the international ghetto as it came to be called—32 safe houses protected by neutral legations. And here, once again, he inspired other legations to follow his example, and with this initiative alone, some 32,000 people were saved.

- Raoul Wallenberg's organization of hospitals, of soup kitchens, of day care centres—the staple of international humanitarian assistance—provided women, children, the sick, the elderly—the most vulnerable of victims—with a semblance of human dignity in the face of the worst of all horrors and evil.

- His rescue of thousands from deportation and death in October 1944 alone when the Arrow Cross Nazi puppet government in Hungary unleashed a wave of murderous deportations and atrocities. At the railway stations he provided, once again, the *Shutzpasses* legally removing people through this device from trains which were about to deport them to a certain death.

- In November 1944, as thousands of Jews, mainly women and children, were sent on a 125-mile death march, Raoul Wallenberg followed distributing food, medical supplies, improvised certificates, once again saving people consigned to death. To the Jews, Wallenberg was always the Guardian Angel. For Adolph Eichmann, the bureaucratic desk murderer responsible for the Final Solution of Hungarian Jewry, Wallenberg was the *Judenhund Wallenberg*, Wallenberg the Jewish dog.

- Wallenberg's last rescue was perhaps the most memorable. As the Nazis were advancing on Budapest, as they threatened to blow up the Budapest ghetto and liquidate the remnants of

> Hungarian Jews, some 70,000 in the Budapest ghetto, Wallenberg put the Nazi Generals on notice including Nazi General Schmidhuber, who was leading the assault on Budapest, that they would be held accountable for their crimes—that they would be brought to justice, if not executed, for their war crimes, crimes against humanity, and genocide. And the result was that the Nazi Generals desisted from that assault on Budapest and 70,000 more Jews were saved, saved by the incredible courage of one person who was prepared to confront evil, to resist, and thereby to cause that evil to be overcome.

We meet also on eve of the 60th anniversary of the liberation of the Auschwitz death camp—of horrors too terrible to be believed but not too terrible to have happened. And on the eve also of the 60th anniversary of the United Nations Charter, whose organizing principle and purpose was "to save succeeding generations from the scourge of war." The precursorto the 1946 Nuremberg principles, the source and inspiration for what has come to be known as international humanitarian law in general and international criminal law in particular.

We meet as well at a critical historical juncture in this struggle for human rights and human security—where, on the one hand, we are witnessing a literal explosion in human rights standard setting, where human rights is spoken of as the new secular religion of our times, as the common language of humanity.

Moreover, this revolution in human rights has been anchored in, if not inspired by, a revolution in international law in general, and international and humanitarian and criminal law in particular, including:

- the internationalization of human rights and the humanization of international law;
- the protection of civilians in armed conflict and the criminalization of atrocities against civilians;
- the emergence of the individual as the subject—and not just the object—of international law.

Indeed, more has happened in this revolution in international human rights and humanitarian law in the last ten years than in the previous 50, including:

- the establishment, and dramatic jurisprudence of the international criminal tribunals for the former Yugoslavia and Rwanda where we have witnessed the criminalization of sexual violence in armed conflict, and where rape, for example, was held respectively, to be an act of torture in the *Celibici Case*; a crime against humanity in the *Foca Case*, and war crime in the *Furundizi Case*;

- The application for the first time in 50 years, in the *Pinochet Case*, of the Nuremberg principle of non-immunity for international crimes committed by heads of state; the first post-Nuremberg indictment of a former head of state in the *Milosevic Case*; and for the first time in 50 years, the adoption by the UN Security Council of Human Security resolutions protective of women and children in armed conflict;

- And in the most dramatic initiative in international criminal law in the last 50 years, the Rome Treaty for an International Criminal Court is now a reality.

Nor should it be forgotten that this revolution in international criminal and humanitarian law has been anchored in, and inspired by a revolution in trans-national civil society—in the non-governmental organizations which have underpinned this international humanitarian law movement; and by a global Internet which has not only revolutionized the access to information, but has revolutionized the mobilization of information, and thereby, the mobilization of shame against the human rights violators.

But I suspect that as I have been giving you this snapshot of the revolution in humanitarian law—

in the criminalization of mass atrocities—many amongst you, the bearers of the seismographs of history, if not witnesses to mass atrocities, have been asking yourselves, "Where does this guy come from? Is this what they teach in the ivory towers of academe? Has he begun to imbibe the platitudes of politicians? Does he not know what is happening to real people on the ground? Does he not know what is happening to threatened communities, to vilified minorities, to refugees, to targeted civilians in armed conflict, to the victims of mass atrocity, to the victims of war crimes, crimes against humanity, and genocide?"

Indeed, the refugees of humanity/inhumanity, the assaulted of Africa, the anguished of Asia and the Middle East, the brutalized children, the violated women, the tortured prisoner—each of them can be forgiven if they believe that this revolution in international humanitarian law has passed them by. The ethnic cleansing of the Balkans, the genocides of Cambodia and Rwanda, the crimes against humanity in Sierra Leone and Darfur, and the legacy of Apartheid are metaphor and message of the assault upon, if not abandonment of, human rights and human security in our time.

It is not surprising, then, that this criminal assault on human rights—the pervasiveness of mass atrocity in the face of the pervasiveness of international law—invites the not uncynical rejoinder that international humanitarian and criminal law is, to paraphrase Jeremy Bentham, so much "nonsense on stilts." Of rights without writs, of principles without protection, of rhetoric without remedy, of semantics without sanctions. Moreover, this revolution and counter-revolution in international humanitarian law—this struggle for human security amidst human insecurity—is taking place against a backdrop of revolutionary dynamics that impact upon, and must be factored into, a Human Security Foreign Policy in general, and the role of International Humanitarian and Criminal Law in the protection of human security in particular.

First, there is the changing nature of armed conflict characterized by a growing proportion of wars within, rather than between, states. 90% of wars are now matters of internal rather than international armed conflict.

Second, there is the targeting of civilians in armed conflict so that 80% of the victims in armed conflict are now civilian as contrasted with World War I where 5% of casualties were civilian.

Third, is the advent of globalization—of the globalization of media and markets, of justice and injustice, of technology and trade, including an international flow of trade, capital, information, and people that has delivered unprecedented wealth and opportunity and created millions of jobs. But the transnational underside of globalization has also triggered a network of threats to human security including transnational terrorism; transnational networking in hate—such as hate on Internet; transnational organized crime, money laundering, and the global financing of international criminality; trafficking in people, weapons, and narcotics; the transnational digital divide and the growing gap between rich and poor; transnational corruption and bribery; corporate complicity in international atrocities; and the transnational displacements of people and the assault on the integrity of aboriginal peoples.

Human security in this context means, in a word, freedom from fear—freedom from these pervasive threats to people's rights, safety, or lives.

Fourth, is the transformation of International Human Rights Law in general and International Humanitarian and Criminal Law in particular. From a state-oriented to a people-oriented dimension, having regard to both the struggle against impunity in respectof the perpetrators and the responsibilityto protect in respect ofthe victims.

And so, on the occasion of the 60th anniversary of Raoul Wallenberg's disappearance, on the eve of the 60 th anniversary of the liberation of the Auschwitz death camp, and on the eve of the 60th anniversary of the United Nations Charter and the Nuremberg Principles—on the occasion of this revolution in international law on the one hand and the pervasiveness of mass atrocities on the

other—we must ask ourselves two questions: "What have we learned?" and "What can we do?" In a word, how do we act to protect human rights under international law when human rights are under assault despite international law?

May I now, in the second part of my remarks, summarize some of the existential lessons of the human condition from Raoul Wallenberg and the UN Charter to the present day of the legal paradox of massive violations of human rights concurrent with a comprehensive legal regime to protect human rights—of the lessons to be learned and the action to be taken. For as Kierkegaard put it "life must be lived forwards but it sometimes can only be understood backwards." Herewith some of the essentiallessons, the understanding of history, Raoul Wallenberg and his legacy 60 years later.

Lesson 1: The Dangers of Assaultive Speech — The Teaching of Contempt and the Demonizing of the Other

One of the enduring lessons of Nazism—the ultimate metaphor for radical evil—is that Nazism almost succeeded not only because of the industry of death and technology of terror, but because of the ideology—the pathology—of hate. Indeed, it is this state-sanctioned teaching of contempt, this demonizing of the other, this standing assault on human security, this is where it all begins.

As the Supreme Court of Canada put it in affirming the constitutionality of anti-hate legislation in Canada, "the Holocaust did not begin in the gas chambers. It began with words." These, as the Court put it, "are the chilling facts of history—the catastrophic effects of racism."

Some 60 years later, these lessons not only remain unlearned, but the tragedy is being repeated. For we have become increasingly witness of late to a continuing state-sanctioned trafficking in hate, to a murderous teaching of contempt, to a demonizing of "the other," and which in Cambodia, Bosnia, and Rwanda included state-orchestrated incitement to hatred, ethnic cleansing, and genocide.

Moreover, even in Western democracies—and in our country Canada—we have been witness these past few years to a growing incidence and intensity of hate speech and hate crimes against identifiable groups. Indeed, after a series of such assaults here in Toronto in March 2004—the vandalizing of synagogues, the desecration of cemeteries, attacks on Jews and Jewish property—I was asked in the House of Commons what was the Government of Canada going to do in the face of this growing incidence of these anti-Semitic and racist hate crimes, and which was to later include the firebombing of a Jewish day school and the torching of a mosque.

My answer in House of Commons—a response anchored in Canadian and international human rights jurisprudence respecting the combating of assaultive speech—was that this racist hate speech constituted an assault:

- on the inherent dignity and worth of the human person;
- on the equal dignity and worth of all persons;
- on underlying values of a free and democratic society targeted by "assaultive" speech;
- on the right of minorities to protection against group vilifying speech;
- on our international treaties, such as the *International Convention on the Elimination of All Forms of Racial Discrimination* which have removed racist hate speech from the ambit of protected speech.

And I concluded by declaring that: "We will not be silent. We will speak out. We will act. And we will consign these hate crimes to the dustbin of history where they belong."

In brief, what is needed—both as fidelity to international law and fidelity to our Constitution—is a

culture of respect in place of a culture of contempt—a culture of human rights in place of a culture of hate. The message of our democracies must be clear: there can be no sanctuary for hate, no refuge for bigotry. And Raoul Wallenberg's example must inspire us in both our understanding and in our action.

Lesson 2: A Principled Approach to Counter-terrorism

The underlying principle here is that there is no contradiction in the protection of security and the protection of human rights. That counter-terrorism itself is anchored in a principled twofold human rights perspective.

First, that transnational terrorism—the slaughter of the innocents—constitutes an assault on the security of a democracy and the most fundamental rights of its inhabitants—the right to life, liberty, and security of the person. Accordingly, counter-terrorism is the promotion and protection of the security of a democracy and fundamental human rights in the face of this injustice—the protection, indeed, of human security in the most profound sense.

At the same time, and this is the second and related human rights perspective imbedded in the relationship between counter-terrorism and human rights, the enforcement and application of counter-terrorism law and policy must always comport with the rule of law. That minorities must never be singled out for differential and discriminatory treatment. That torture must always and everywhere be prohibited. That counter-terrorism must not undermine the very human security we seek to promote and protect by that counter-terrorism.

And we have taken a number of initiatives in this regard, including:

- internationalizing this human rights approach to counter-terrorism;
- establishing a cross-cultural roundtable on national security to give expression to this principled approach to counter-terrorism as an expression of our shared citizenship;
- meeting with representatives of ethno-cultural and religious groups to receive their feedback and share these principles;
- beginning a comprehensive parliamentary review of the provisions and operation of our anti-terrorism law (Bill C-36).

Lesson 3: Crimes of Indifference, Conspiracies of Silence—The Duty to Act

In a word, the Holocaust of European Jewry, the genocides from Cambodia to Rwanda, the crimes against humanity from Sierra Leone to Darfur succeeded not only because of a state-sponsored culture of hate, but because of crimes of indifference—because of conspiracies of silence. Indeed, we have been witness to an appalling indifference in our day—to the unthinkable—crimes against humanity—and the unspeakable—genocide. And worst of all, to the preventable genocide in Rwanda. No one can say that we did not know.

One has to only read the witness testimony and documentary evidence on the Rwandan genocide to understand not only the horror of this genocide as portrayed so movingly in the film, Hotel Rwanda—but the ultimate horror that this genocide was preventable. That it was the indifference, the silence, the acquiescence—indeed the complicity of the international community—that made this genocide possible.

It is our responsibility, then, to break down the walls of indifference, to shatter the conspiracies of silence wherever they may be. As Nobel Peace laureate Elie Wiesel put it, "indifference always means coming down on the side of the victimizer, never on the side of the victim." And as

Professor Yehuda Bauer reminded us in the *Stockholm International Forum*: "Never be a perpetrator. Never allow there to be victims. And never, never allow yourself to be a bystander—to be indifferent."

The words of Edmund Burke come back to haunt us: "the surest way to ensure that evil will triumph in the world is for enough good people to do nothing."

In a word, and we must adhere to this ourselves, if we are to convey this to others: indifference in the face of evil—whether of individuals or states—is acquiescence in, if not complicity with, evil itself. It is not only abandonment of the victim; it is encouraging the victimizer.

We must say to the victims, as Raoul Wallenberg said to them: You are not alone; we are with you, we will protect you.

What is required is moral leadership as demonstrated by Raoul Wallenberg; the willingness to stand up and be counted and not look around to see whoever else is standing before we make a judgement to do so. Because in the world in which we live there are too few people who are prepared to stand, let alone to be counted.

Lesson 4: Protecting Human Security: Towards a Culture of Prevention

It is as trite as it is profound that the best protection against mass atrocities, the best protection for human security—is the prevention of conflict to begin with. Yet, as the Carnegie Commission of Nine Case Studies of War-Affected Countries showed, the international community spent eight times more dealing with the aftermath of war—with the pain and problems of reconciliation—than it invested in the prevention of conflict. That is not only not cost-effective in economic terms, but in human terms—in terms of lives lost and communities destroyed—the human cost is incalculable.

May I identify some of the conflict prevention lessons learned from studies on killing fields, and which reflects also some of the lessons that I have learned from my own involvement in human rights advocacy over the years, including:

- the importance of democratic development; simply put, democracy may not guarantee peace and stability, but it appears to be a precondition for it. Indeed, it is the absence of democracy—whether in the Balkans or East Timor or any other area of armed conflict—that often serves as a standing invitation to the criminal violations of human rights. As Spencer Weart affirms in his book *Never at War: Why Democracies Will Not Fight One Another*, It is an empirical law of international relations (resulting from his analysis of every recorded instance of conflict among democracies) that democratic republics have never gone to war against one another;

- the importance of the building of national justice systems as part of the building of an international justice system for the 21 st century organized around democratic institutions and rights protecting instruments, including Charters of Rights, protection of minorities, an independent judiciary, a free press, protection of human rights monitors, transparency, accountability, and responsible government—all as constituent elements of a culture of prevention against mass atrocity;

- the need for an early warning system and a commensurate early response; the need for a human insecurity index of systemic assaults on human security such as systemic discrimination or systemic incitement to hatred and violence;

- the importance of education for peace organized around human rights education; anti-racist education; multicultural education; and education in remembrance—lessons of the Holocaust and genocide.

Lesson 5: The Responsibility to Protect

If the duty to prevent and protect against mass atrocity is unavailing and unrequited then a duty may arise for the international community to intervene so as to avert a humanitarian catastrophe. As UN Secretary General Kofi Annan put it, "surely no legal principle—not even sovereignty—can ever shield crimes against humanity."

Rather, the principle must be that, where states are unable or unwilling to protect their populations from mass atrocities—or where the state is itself the perpetrator—the international community has the responsibility to act.

This people-centred approach to human security dovetails with the general international law undertaking by states to prevent genocide and other mass atrocities as contained in the Genocide Convention and in customary international law. What is needed now are the requisite criteria to authorize forcible humanitarian intervention—when, under what circumstances, pursuant to what authority, and with respect to what criteria, can such intervention be authorized?

The threshold criteria and precautionary principles which underpin the responsibility to protect—and that can authorize forcible humanitarian intervention—were summarized in the recent December 2004 Report of the United National High Level Panel on Threats, Challenges and Change, entitled: *"A More Secure World: Our Shared Responsibility"* as follows:

- The Principle of the Seriousness of the Threat: Is the threat in question sufficiently clear and serious to justify the use of military force? In the case of internal conflict, i s there a systematic and widespread criminal violation of human rights and international humanitarian law, the commission of crimes against humanity and mass atrocities?

- The Principle of "Last Resort": Has every non-military option been explored?

- The Proportionality Principle: Is the use of force proportionate to the objectives sought to be secured, i.e., to avert a humanitarian catastrophe , and does it constitute the minimum necessary to meet the threat?

- The "Proper Purpose" Principle: Is it clear that the primary purpose of the proposed military action is to halt or avert the threat in question, whenever other purposes or motives may be involved?

- The Balance of Consequences Principle: Is the intervention likely to be successful, and the consequences of action not likely to be worse than the consequences of inaction?

Canada must now take the lead in securing international adoption of these threshold criteria by the UN Security Council, and ensure that these criteria are applied equally, and to all nations, and that the United Nations performs to a much higher and effective standard than it did in Srebrenica and Rwanda.

Lesson 6: Bringing War Criminals to Justice—The Cycle of Impunity, the Imperative of Accountability, Nuremberg and its Legacy, the ICC as the Cornerstone of International and Humanitarian Law

The struggle against impunity must be seen also as part of a culture of conflict prevention, and conflict resolution—of establishing a system of global justice—of serving as a cornerstone for the protection of human security and the implementation of international humanitarian law.

In that sense, the Treaty for an International Criminal Court is one of the most dramatic developments in the struggle against impunity—in the development of international criminal law—

in a culture of prevention—since the end of World War II. Indeed, the 20 th century might well have been labelled the Century of Atrocity, where we witnessed some of the worst atrocities in the history of humankind. But it might also have been called the Age of Impunity, as few perpetrators were ever brought to justice.

Initially, the Nuremberg/Tokyo Tribunals inspired the hope that a Permanent International Tribunal with global jurisdiction would be established—and indeed an ICC was first proposed some 55 years ago. However, it took the globalized horror of the killing fields of the nineties—the horror of Bosnia; the agony of Rwanda; the brutalized women and children of Sierra Leone and Sudan; and the emergence of the unthinkable, ethnic cleansing, and the unspeakable genocide to give the idea of an international criminal court the moral compellability and sense of urgency that it warrants.

The establishment of an International Criminal Court was an idea whose time had come, indeed, was long overdue. What distinguishes the international criminal court from the *adhoc* tribunals is that the ICC is the first permanent international tribunal with a global jurisdiction to try individuals for criminal violations of international humanitarian law.

Accordingly, unlike the International Court of Justice, whose contentious jurisdiction is restricted to states, the ICC will have juridical authority to indict individuals from any global killing field; and unlike the *ad hoc* character of the Yugoslavian and Rwandan war crimes tribunals, the jurisdiction of the ICC—f rom the moment it takes effect for a given state party—will not be chronologically or geographically limited

The ICC Treaty and corresponding implementing legislation will serve to institutionalize and internationalize the Nuremberg Legacy; work to end the culture of impunity; help deter international crimes while protecting international peace and security; counter the failure of national systems to bring war criminals to justice; provide enforcement mechanisms and thereby overcome one of the main failings of international law; underpin state responsibility to prosecute, or to extradite for purposes of prosecution, any individuals in their territory who are accused of international crimes of genocide, war crimes, or crimes against humanity; and will help protect the most vulnerable of persons in armed conflict: women, children, refugees and the like.

In a word, the ICC Treaty is a wake-up call and a warning to criminal human rights violators everywhere: there will be no safe havens, no base or sanctuary for the enemies of humankind.

And we, Canada, must be at the forefront of an international advocacy initiative to build an international criminal justice system organized around the International Criminal Court; to increase the number of state parties to the ICC Treaty; to encourage the enactment of domestic implementing legislation; and to support international cooperation with the ICC even by states that are not parties to the Treaty.

Lesson 7: The Rights of Children and the Protection of Children in Armed Conflict: The Linchpin of Human Security

If there is an atrocity that belies understanding, it is the wilful exploitation, maiming, and killing of a child—the most vulnerable of the vulnerable.

The protection of children, then, must be a priority on our national and international agenda as a matter of both principle and policy. One of the most profound human rights lessons I was taught came from my daughter—now 25—who, at the age of 15, challenged me as follows: "Daddy, if you want to know what the test of human rights is, always ask yourself at any time, in any situation, in any part of the world, is it good for children? Is what is happening good for children? Daddy, that is what justice is all about."

Indeed, nowhere is the *double entendre* of the revolution in international humanitarian law—and counter revolution—more dramatized than in the protection of children's rights, particularly as

regarding the protection of children in armed conflict.

On the one hand, more countries have ratified the *International Convention on Children's' Rights* more quickly than any other treaty; indeed, more have ratified it than any other treaty. Yet many of the 192 states that have ratified the treaty continue to violate the rights of children in a massive way. As a result, millions of children—the statistics are simply numbing—find themselves in alarming situations where they are as much hostages as they are victims. For example, as I speak to you today:

- it is estimated that 2million children are involved in prostitution or the pornography industry and some 180 million young people are involved in the worst forms of labour;
- about 1.2 million children are trafficked every year and 5.7 million have been forced into debt bondage or other forms of slavery;
- more than 2 million young children die each year from diseases that could have been prevented by vaccines;
- children make up half of the world's 40 million internally displaced people and refugees.

What is true regarding the violations of children's rights generally is even more compelling as regards the violations of the rights of children in armed conflicts in particular:

- at any given time, over 300,000 child soldiers, some as young as eight, are exploited in armed conflicts in more than 30 countries around the world;
- more than 2 million children are estimated to have died as a direct result of armed conflict over the last decade—at least 6 million children have been seriously injured or permanently disabled; and many more millions have been traumatized, and hundreds of thousands have been orphaned;
- while between 8,000 and 10,000 children continue to be killed or maimed by landmines each year.

In a word, the plight of war-affected children is clearly one of the most devastating tragedies of our time. The statistics of the millions of children caught up and scarred by the brutality of war and conflict, not only numb the pain; they also obscure the tragedy. We are speaking about children who have lost their parents, their homes, their schools, their neighbourhoods—all the components of human security.

The international law and human security agenda, then, challenges us to examine the issue of war-affected children from the perspective of those children and to ensure:

- the implementation of existing international standards, including the ratification and implementation of the *Optional Protocol Respecting the Protection of Children in Armed Conflict,* and the *Optional Protocol to the ILO Convention No.182*, which defines the use of children in armed conflict as one of the worst forms of child labour;
- calibrated and selectively targeted sanctions respecting regimes that violate the rights of children in armed conflict, including the recruitment and deployment of child soldiers;
- the end of a culture of impunity: those responsible for war crimes against children should be brought to justice;

In summary, these tragedies of children's rights must end. Behind each of the above statistics is a

human face—each child has a name, an identity, each child is a universe. It is imperative that we, as a global community, mobilize a constituency of conscience on behalf of children's rights, particularly for war-affected children.

For as Graça Machel put it, war puts at risk every right of the child—the foundational core of human security—including: the right to life; the right to a family environment; the right to essential care and assistance; the right to health, to food, and to education. How we respond to the human security of children will define the integrity of the International humanitarian law revolution.

Lesson 8: International Women's Rights and Gender Security

The genocide of World War II and the genocides and ethnic cleansing since, as in the Balkans, Rwanda , and Darfur , have included horrific crimes against women. Moreover, these crimes not only attended the genocide or were in consequences of it, but have in fact been in pursuit of it.

Regrettably, the lessons of violence against women in armed conflict—indeed, of systemic discrimination against women—remain to be learned and acted upon. The notion that women's rights are human rights—that there are no human rights without women's rights—must be not only a statement of legal principle, but an instrument of policy. As UNICEF recently reported, "discrimination against women is an injustice greater than South Africa's Apartheid." Charlotte Bunch dramatically summed up the raison d'être for women's rights as a priority on the International Human Rights agenda as follows: "significant numbers of the world's population are routinely subject to torture, starvation, terrorism, humiliation, mutilation and even murder simply because they are female."

That is why women's rights must be a priority on the international justice agenda and why we in Canada have made women's rights a priority on our domestic agenda. Therefore, one of our government's first initiatives was to deal with the trafficking of women, "the new international slave trade" as Dean Harold Koh has called it, and the fastest growing international criminal industry in the world. Every year, millions of people, mostly women and children, are kidnapped in their own countries, bonded and bartered and forced into prostitution or into slave labour at minimal pay.

Accordingly, we established a policy to dovetail with an international juridical initiative—what we call our "Three Ps" policy—to prevent human trafficking, to protect victims, and to prosecute the perpetrators, both in Canada and abroad.

As well, we need to address the urgent instances of systemic discrimination and violence against women, including:

- pervasive violence against women—in the family, in custodial institutions, or in the community;
- violence against women in armed conflict, including, in particular, acts of sexual violence;
- the discrimination against, or denial of, the rights of the most vulnerable of women—aboriginal, visible minorities, disabled, lesbian, migrant women, and refugee and internally displaced women;
- exclusion of, or discrimination against women in peace support operations.

Lesson 9: Responsibility for the Future: Protecting the Common Heritage of Humankind

A comprehensive vision of collective security and responsibility for the future includes the

obligation to leave a better world for our children. It involves all aspects of our common heritage—health, the environment, sustainable development, oceans, space. Accordingly, i t is a welcome development to see the Secretary General's High Level Panel combine all these aspects under the umbrella of a comprehensive concept of security. To ignore these aspects of security, in favour of the more traditional and restrictive concepts of security, is done at our—and our children's—peril.

The new pandemics demand our most urgent attention. AIDS, SARS, and the Ebola virus are sounding a terrifying alarm and scientists are predicting even worse diseases. The international community must improve its surveillance and monitoring systems and the World Health Organization must improve its coordination with those of other UN bodies.

Beyond health issues are the questions of environmental protection and degrading poverty. International cooperation in sustainable development is an indispensable foundation for collective security requiring that the necessary attention and resources be devoted to achieving the millennium development goals. The urgency of this principle is reflected in the fact that as we enter the 21 st Century, more than a billion people lack access to clean water, more than two billion have no access to adequate sanitation and more than three million die every year from water related diseases. Fourteen million people, including six million children, die every year from hunger. There were 842 million undernourished people in 2000; 95% live in poor countries. Again, behind every statistic is a person with a name, an identity, a future.

We need an oceans policy that allows us not only to rebuild our fish stocks but to better regulate equitable access to fisheries under international law. Simply put, the pillage of these global resources must come to an end.

Space is our final frontier. We cannot permit that frontier to become a weapons arsenal and the scene of a new arms race. In 1967, the United Nations agreed that weapons of mass destruction must not be based in space. The time has come to extend this ban to all weapons.

Conclusion

This Raoul Wallenberg commemorative day and the conference invite us to learn about, reflect upon, and be inspired by the unparalleled and unprecedented heroism of this great humanitarian who, in his singular protection of civilians in armed conflict, signified the best of international humanitarian law; who, in his singular organization of humanitarian relief, exemplified the best of humanitarian intervention; who, in his warning to Nazi generals that they would be held accountable for their crimes, foreshadowed the Nuremberg principles; who, in saving 100,000 Jews, personified the Talmudic idiom that if a person saves a single life it is as if he saved an entire universe; and who, in having the courage to care and the commitment to act, showed that one person can make a difference, that one person can confront radical evil, prevail, and transform history.

Each one of us here has an indispensable role to play in the indivisible struggle for human rights and human dignity. Each one can and does make a difference. We must remember always that human rights begins with each of us—in our homes, in our workplace, in our human relations, in our daily capacity for acts of care and compassion, in our daily capacity to make life better for some victim of discrimination of disadvantage somewhere.

This then must be our task: to speak on behalf of those who cannot be heard; to bare witness on behalf of those who cannot testify; to act on behalf of those who put not only their livelihood—but their lives—on the line. We need, simply put, to live human rights—to become the implementers of international human rights law. That is what the protection of human security is all about.

Thank you.

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